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Robert E. Krebs, State Bar No. 57526  
Christopher L. Ogden, State Bar No. 235517  
Thelen Reid Brown Raysman & Steiner LLP  
225 West Santa Clara Street, Suite 1200  
San Jose, CA 95113-1723  
Tel. 408.292.5800  
Fax 408.287.8040

Ronald F. Lopez, State Bar No. 11756  
Sushila Chanana, State Bar No. 254100  
Thelen Reid Brown Raysman & Steiner LLP  
101 Second Street, Suite 1800  
San Francisco, CA 94105-3606  
Tel. 415.371.1200  
Fax. 415.371.1211

ATTORNEYS FOR DEFENDANTS  
TECHNOLOGY PROPERTIES LIMITED,  
and ALLIACENSE LIMITED

Charles T. Hoge, State Bar No. 110696  
Kirby Noonan Lance & Hoge  
350 Tenth Avenue, Suite 1300  
San Diego, CA 92101  
Tel.: (619) 231-8666  
Fax: (619) 231-9593

ATTORNEY FOR DEFENDANT  
PATRIOT SCIENTIFIC CORPORATION

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

HTC CORPORATION, et al.

Plaintiffs,

vs.

TECHNOLOGY PROPERTIES LIMITED,  
et al.

Defendants.

William Sloan Coats, III, State Bar No. 94864  
Mark R. Weinstein, State Bar No. 193043  
Kyle D. Chen, State Bar No. 239501  
White & Case LLP  
3000 El Camino Real  
5 Palo Alto Square, 9th Fl  
Palo Alto, CA 94306  
Tel.: 650-213-0300  
Fax: 650-213-8158

ATTORNEYS FOR PLAINTIFFS  
HTC CORPORATION and HTC AMERICA,  
INC.

Case No. 5:08-CV-882 JF

**STIPULATION AND [PROPOSED]  
ORDER TO CONTINUE HEARINGS ON  
MOTIONS TO DISMISS, TRANSFER,  
OR STAY AND CASE MANAGEMENT  
CONFERENCE**

1 WHEREAS, on February 8, 2008, plaintiffs HTC Corporation and HTC America,  
2 Inc. (collectively "HTC" or "Plaintiffs") filed a complaint against defendants Technology  
3 Properties Limited ("TPL"), Patriot Scientific Corporation ("Patriot"), and Alliacense Limited  
4 (collectively, "Defendants") for declaratory judgment of patent non-infringement and invalidity of  
5 U.S. Patent Nos. 5,809,336 ("the ' 336 patent"); 5,784,584 ("the ' 584 patent"); 5,440,749 ("the  
6 ' 749 patent"); and 6,598,148 ("the ' 148 patent");

7 WHEREAS, on April 25, 2008, TPL and Patriot filed complaints for patent  
8 infringement against HTC for alleged infringement as to the ' 336 patent, the ' 749 patent, and the  
9 ' 148 patent in the Eastern District of Texas, Case No. 2-08-cv-172 (DF); as to the ' 584 patent in  
10 Case No.2-08-cv-174 (TJW);

11 WHEREAS, on June 4, 2008 Defendants filed a complaint for patent infringement  
12 against HTC for alleged infringement as to U.S. Patent No. 5,530,890 ("the ' 890 patent") in the  
13 Eastern District of Texas, Case No. 2:08-cv-226 (TJW) (all Texas cases collectively, "the Texas  
14 Actions");

15 WHEREAS, on July 10, 2008, Plaintiffs filed a First Amended Complaint against  
16 Defendants for declaratory judgment of patent non-infringement and invalidity of the ' 890 patent  
17 (Docket No. 34);

18 WHEREAS, the Court entered a Related Case Order determining that the present  
19 case and the following two cases pending in this district are related to one another: (1) *Acer, Inc.*  
20 *et al v. Technology Properties Limited et al* (C 08-00877 JF); and (2) *ASUSTeK Computer Inc. el*  
21 *al v. Technology Properties Limited et al* (C 08-00884 EMC) (Docket No. 21) ("Related  
22 Matters");

23 WHEREAS, Defendants in the present action and each of the Related Matters filed  
24 motions on April 25, 2008 to dismiss or in the alternative to transfer to the Eastern District of  
25 Texas, with all such motions currently set for hearing on August 29, 2008 ("Motions");  
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1 WHEREAS, the Case Management Conference ("CMC") for the present action  
2 and the Related Matters is currently scheduled for August 29, 2008;

3 WHEREAS, Defendants have requested a continuance of the Motions and CMC  
4 due to a conflict in scheduling; and

5 WHEREAS, Plaintiffs have agreed to a continuance of the hearing date for the  
6 Motions and CMC in the present action and the Related Matters, while the Defendants have  
7 agreed to an extension of time for Plaintiffs to respond to the Texas Actions until October 3, 2008;

8  
9 NOW, THEREFORE, THE PARTIES HEREBY STIPULATE, AND  
10 RESPECTFULLY REQUEST THAT THE COURT ORDER, AS FOLLOWS:

11 The Case Management Conference and the hearings on the Motions in the present  
12 action and the Related Matters currently set for August 29, 2008 shall be continued to September  
13 19, 2008.

14 Respectfully submitted,

15 Dated: August 6, 2008

THELEN REID BROWN RAYSMAN &  
STEINER LLP

17 By: /s/ Robert E. Krebs  
Robert E. Krebs

18 Attorneys for Defendants TECHNOLOGY  
19 PROPERTIES LIMITED, and ALLIACENSE  
LIMITED

20 Dated: August 6, 2008

KIRBY NOONAN LANCE & HOGE

22 By: /s/ Charles T. Hoge  
Charles T. Hoge

23 Attorney for Defendant PATRIOT  
24 SCIENTIFIC CORPORATION

25 Dated: August 6, 2008

WHITE & CASE LLP


27 By: /s/ Kyle D. Chen  
Kyle D. Chen

Attorneys for Plaintiffs HTC  
CORPORATION and HTC AMERICA, INC.

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2 PURSUANT TO STIPULATION IT IS SO ORDERED:  
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4 Dated: 8/12/08  
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7 The Honorable Jeremy Fogel  
8 United States District Judge  
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